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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/645,871	08/23/2000	Eric C. Peters	A0001-003013	3852

7590 10/07/2003

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EXAMINER	
JOSEPH, THOMAS J	

ART UNIT	PAPER NUMBER
2174	15

DATE MAILED: 10/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/645,871	PETERS ET AL.	
	Examiner	Art Unit	
	Thomas J Joseph	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 August 2000* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *16-69* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *8-69* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *11,12* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 15 – 69 are rejected under 35 U.S.C. 102(b) as being anticipated by *Video editing and Post Production: A Professional Guide 2d ed.* by Gary Anderson.

Claim 15, 21, 27, 33, and 39:

Videotape Editing by Gary Anderson teaches a processor that requires software that requires a computer readable medium for storing computer code (p. 66). Anderson teaches a random access computer readable medium for storing video information in one or more data files in a computer file system (p. 66). The memory is a readable medium. Anderson teaches a computer system for playing a motion video (p. 66). The video editor inherently teaches a method for playing a motion video. Anderson teaches a video editing system (p. 69 – 71). Anderson teaches a display (p. 66). Anderson teaches a standard alphanumeric keyboard (p. 68). This keyboard is capable of inputting textual data. Anderson teaches a computing apparatus operative in response to user input to perform editing operations on the video information (p. 68). Further, Anderson teaches an operative in response to user input to display video information from one or more data files in a source video window in the display (p. 69). Anderson teaches an operative in response to user input for displaying results of the editing

operations on the video information in an edited program window on the display (p. 69 - 71). Anderson teaches an operative in response to a signal from a key on the standard alphanumeric keyboard to select one of the source video windows and edited video window for display (p. 68). The display screen is a window for editing and providing source information. Anderson teaches an operative in response to signals from a set of three adjacent keys from the standard alphanumeric keyboard to control shuttling of playback of the video information from the one or more data files in the selected window at a shuttle speed and in a shuttle direction (p. 69). Anderson teaches the first of three keys being a forward shuttling key (p. 69). Anderson teaches a second of three keys being for pausing (p. 69). Anderson teaches a third of three keys being for reverse shuttling (p. 69). Anderson teaches multiple actuations of at least one of the first and third keys causing a change in the shuttle speed in the shuttle direction corresponding to the actuated key (p. 69). The slow key controls shuttle speed.

Claim 16, 22, 28, 34, and 40:

Anderson teaches a video editing system wherein the change in the shuttle speed is in increments corresponding to a frame per second rate of the source (p. 69).

Claim 17, 23, 29, 35, and 41:

Anderson teaches the standard alphanumeric keyboard having 36 alphanumeric keys disposed in a standard keyboard layout, and wherein the first of the three keys is a key that corresponds to "L" key in a QWERTY keyboard layout, the second of the three keys is a key that corresponds to a "K" key in a QWERTY keyboard layout and the third

of the three keys is a key that corresponds to a "J" key in a QWERTY keyboard layout (p. 68 and 69).

Claim 18, 24, 30, 36, and 42:

Anderson teaches the third key also bearing a label indicative of a reverse shuttling function, wherein the second key also bears a label indicative of a pause function and wherein the first key also bears a label indicative of a forward shuttling function (p. 68 and 69).

Claim 19, 25, 31, 37, and 43:

Anderson teaches the standard alphanumeric keyboard having 36 alphanumeric keys disposed in a standard keyboard layout, and wherein the first of the three keys is a key that corresponds to "L" key in a QWERTY keyboard layout, the second of the three keys is a key that corresponds to a "K" key in a QWERTY keyboard layout and the third of the three keys is a key that corresponds to a "J" key in a QWERTY keyboard layout (p. 68 and 69).

Claim 20, 26, 32, 38, and 44:

Anderson teaches the third key also bearing a label indicative of a reverse shuttling function, wherein the second key also bears a label indicative of a pause function and wherein the first key also bears a label indicative of a forward shuttling function (p. 68 and 69).

Claim 45:

Anderson teaches an alphanumeric keyboard for use with a computerized video editing system operative in response to signals from a set of three keys from the

alphanumeric keyboard to control shuttling of playback of video information (p. 68 and 69). Anderson teaches one or more data files stored on a random access computer readable medium in a computer file system (p. 66). Anderson teaches a display at a shuttle speed and in a shuttle direction such that a first of the three keys is for forward shuttling (p. 68 and 69). Anderson teaches a second of three keys being for pausing, a third of the three keys is for reverse shuttling, a second of three keys is for pausing, a third of the three is for reverse shuttling (p. 68 and 69). Anderson teaches multiple actuations of at least one of the first and third keys causing a change in the shuttle speed in the shuttle direction corresponding to the actuated key (p. 68 and 69). Anderson teaches the alphanumeric keyboard (p. 68 and 69).

Anderson teaches the standard alphanumeric keyboard having 36 alphanumeric keys disposed in a standard keyboard layout, and wherein the first of the three keys is a key that corresponds to "L" key in a QWERTY keyboard layout, the second of the three keys is a key that corresponds to a "K" key in a QWERTY keyboard layout and the third of the three keys is a key that corresponds to a "J" key in a QWERTY keyboard layout (p. 68 and 69). Anderson teaches the third key bearing a label indicative of a reverse shuttling function (p. 68 and 69). Anderson teaches the second key bearing a label indicative of a pause function (p. 68 and 69). Anderson teaches a second key bearing a label indicative of a pause function (p. 68 and 69). Anderson teaches first key bearing a label indicative of a forward shuttling function (p. 68 and 69). Stop is a type of pause while play is a type of forward shuttling function.

Claim 46:

Anderson teaches a random access computer readable medium for storing video information in one or more data files in a computer file system (p. 66). The software taught by Anderson requires a random access computer readable medium for storing video information in one or more data files in a computer file system. Anderson teaches a standard alphanumeric keyboard (p. 68). Anderson teaches a display (p. 66). Anderson teaches a computing apparatus operative in response to user input to perform editing operations on the video information (p. 66). These windows demonstrate editing operations. Anderson teaches an operative in response to the user input to display video information from the one or more data files on the display (p. 66). Anderson teaches an operative in response to signals from a set of four adjacent keys from the standard alphanumeric keyboard to control trimming of a selected transition in the video information (p. 68 and 69).

Anderson teaches a first of four keys for trimming a plurality of frames in a reverse direction (p. 68 and 69). Anderson teaches a second of four keys for trimming one frame in a reverse direction (p. 68 and 69). Anderson teaches a third of the four keys being trimmed one frame in a forward direction (p. 68 and 69). Anderson teaches a fourth of the four keys being for trimming a plurality of frames in a forward (p. 68 and 69). Anderson teaches the first key being a key that corresponds to an "M" key in a QWERTY keyboard layout, the second key being a key that corresponds to a "<" key in a QWERTY keyboard layout, the third key being a key that corresponds to a ">" key in a QWERTY layout, and the fourth key being a key that corresponds to a "/" key in a QWERTY keyboard layout (p. 68 and 69). Anderson teaches the first key bearing a

label indicative of a function for reverse trimming of a plurality of frames (p. 68 and 69). Anderson teaches the second key also bearing a label indicative of a function for reverse trimming of one frame (p. 68 and 69). Anderson teaches the third key bearing a label indicative of a function for forward trimming of one frame (p. 68 and 69). Anderson teaches a fourth key bearing a label indicative of a function for forward trimming of a plurality of frames (p. 68 and 69).

Claim 47:

Anderson teaches a computerized video editing system that further operates in response to signals from a set of three adjacent keys form the standard alphanumeric keyboards for selecting a mode of a transition, such that a first of three keys selects trimming of a clip prior to the transition (p. 68 and 69). Anderson teaches three keys selecting trimming of clips both before and after the transition (p. 68 and 69). Anderson teaches a third of the three keys selecting trimming of a clip after the transition (p. 68 and 69). Anderson teaches the first key bearing a label indicative of a function for trimming of a clip prior to the transition (p. 68 and 69). Anderson teaches the second key bearing a label indicative of a function for trimming of clips both before and after the transition (p. 68 and 69). Anderson teaches the third key bearing a label indicative of a function for trimming of a clip after the transition (p. 68 and 69).

Claim 48:

Anderson teaches 36 alphanumeric keys and additional keys with typographical symbols disposed in a standard keyboard layout (p. 68 and 69). Anderson teaches a set of three adjacent keys including a first key bearing a label indicative of a reverse

shuttling function (p. 68 and 69). Anderson teaches a second key bearing a label indicative of a pause function (p. 68 and 69). Anderson teaches a third key bearing a label indicative of a forward shuttling function (p. 68 and 69).

Claim 49:

Anderson teaches a set of four adjacent keys including a first key bearing a label indicative of a function for reverse trimming of a plurality of frames, a second key bearing a label indicative of a function for reverse trimming of one frame, a third key bearing a label indicative of a function for forward trimming of one frame (p. 68 and 69). Anderson teaches a fourth key bearing a label indicative of a function for forward trimming of a plurality of frames (p. 68 and 69).

Claim 50:

Anderson teaches a set of three adjacent keys including a first key bearing a label indicative of a function for trimming a clip prior to the transition (p. 68 and 69). Anderson teaches a second key bearing a label indicative of a function for trimming clips both before and after the transition, and a third key bearing a label indicative of a function for trimming of a clip after the transition (p. 68 and 69).

Claim 51:

Anderson teaches a random access computer readable medium for storing video information in one or more data files in a computer file system (p. 66). Anderson teaches a standard alphanumeric keyboard (p. 68 and 69). Anderson teaches a display (p. 66). Anderson teaches a computing apparatus operative in response to user input to perform editing operations on the video information (p. 67). Anderson teaches an

operative in response by input to display video information from the one or more data files on the display (p. 66). Anderson teaches a computing apparatus operative in response to user input to perform editing operations on the video information (p. 67). These windows demonstrate editing operations. Anderson teaches an operative in response to the user input to display video information from the one or more data files on the display (p. 66). Anderson teaches a first of four keys for trimming a plurality of frames in a reverse direction (p. 68 and 69). Anderson teaches a second of four keys for trimming one frame in a reverse direction (p. 68 and 69). Anderson teaches a third of the four keys being trimmed one frame in a forward direction (p. 68 and 69). Anderson teaches a fourth of the four keys being for trimming a plurality of frames in a forward direction (p. 68 and 69).

Claim 52:

Anderson teaches the first key being a key that corresponds to an "M" key in a QWERTY keyboard layout, the second key being a key that corresponds to a "<" key in a QWERTY keyboard layout, the third key being a key that corresponds to a ">" key in a QWERTY layout, and the fourth key being a key that corresponds to a "/" key in a QWERTY keyboard layout (p. 68 and 69).

Claim 53:

Anderson teaches the first key bearing a label indicative of a function for reverse trimming of a plurality of frames (p. 68 and 69). Anderson teaches the second key also bearing a label indicative of a function for reverse trimming of one frame (p. 68 and 69). Anderson teaches the third key bearing a label indicative of a function for forward

trimming of one frame (p. 68 and 69). Anderson teaches a fourth key bearing a label indicative of a function for forward trimming of a plurality of frames (p. 68 and 69).

Claim 54:

Anderson teaches a computing apparatus operative in response to signals from a set of three adjacent keys from the standard alphanumeric keyboard to select a mode of a transition (p. 68 and 69). Anderson teaches a first of three keys selecting trimming of a clip prior the transition (p. 68 and 69). Anderson teaches the three keys selecting trimming of clips both before and after the transition (p. 68 and 69). Anderson teaches a third of the three keys selecting trimming of a clip after the transition (p. 68 and 69).

Claim 55:

Anderson teaches a computing apparatus operative in response to signals from a set of three adjacent keys from the standard alphanumeric keyboard to select a mode of a transition (p. 68 and 69). Anderson teaches a first of three keys selecting trimming of a clip prior the transition (p. 68 and 69). Anderson teaches the three keys selecting trimming of clips both before and after the transition (p. 68 and 69). Anderson teaches a third of the three keys selecting trimming of a clip after the transition (p. 68 and 69).

Claim 56:

Anderson teaches an operative in response to signals from a set of keys from the standard alphanumeric keyboard to control trimming of a selected transition in the video information (p. 68 and 69). Anderson teaches the first of the four keys being for trimming a plurality of frames in a reverse direction (p. 68 and 69). Anderson teaches a second of four keys being for trimming one frame in a reverse direction (p. 68 and 69).

Anderson teaches a third of four keys being for trimming one frame in a forward direction (p. 68 and 69). Anderson teaches a fourth of four keys being for trimming a plurality of frames in a forward direction (p. 68 and 69).

Claim 57:

Anderson teaches the first key being a key that corresponds to an "M" key in a QWERTY keyboard layout, the second key being a key that corresponds to a "<" key in a QWERTY keyboard layout, the third key being a key that corresponds to a ">" key in a QWERTY layout, and the fourth key being a key that corresponds to a "/" key in a QWERTY keyboard layout (p. 68 and 69).

Claim 58:

Anderson teaches the first key bearing a label indicative of a function for reverse trimming of a plurality of frames (p. 68 and 69). Anderson teaches the second key also bearing a label indicative of a function for reverse trimming of one frame (p. 68 and 69). Anderson teaches the third key bearing a label indicative of a function for forward trimming of one frame (p. 68 and 69). Anderson teaches a fourth key bearing a label indicative of a function for forward trimming of a plurality of frames (p. 68 and 69).

Claim 59:

Anderson teaches a computing apparatus operative in response to signals from a set of three adjacent keys from the standard alphanumeric keyboard to select a mode of a transition (p. 68 and 69). Anderson teaches a first of three keys selecting trimming of a clip prior the transition (p. 68 and 69). Anderson teaches the three keys selecting

trimming of clips both before and after the transition (p. 68 and 69). Anderson teaches a third of the three keys selecting trimming of a clip after the transition (p. 68 and 69).

Claim 60:

Anderson teaches the first key bearing a label indicative of a function for trimming of a clip prior to the transition (p. 68 and 69). Anderson teaches the second key also bearing a label indicative of a function for trimming of clips both before and after transition (p. 68 and 69). Anderson teaches the third key also bears a label indicative of a function for trimming of a clip after the transition (p. 68 and 69).

Claim 61:

Anderson teaches a computing apparatus operative in response to signals from a set of three adjacent keys from the standard alphanumeric keyboard to select a mode of a transition (p. 68 and 69). Anderson teaches a first of three keys selecting trimming of a clip prior the transition (p. 68 and 69). Anderson teaches the three keys selecting trimming of clips both before and after the transition (p. 68 and 69). Anderson teaches a third of the three keys selecting trimming of a clip after the transition (p. 68 and 69).

Claim 62:

Anderson teaches the first key bearing a label indicative of a function for trimming of a clip prior to the transition (p. 68 and 69). Anderson teaches the second key also bearing a label indicative of a function for trimming of clips both before and after transition (p. 68 and 69). Anderson teaches a third key bearing a label indicative of a function for trimming of a clip after the transition (p. 68 and 69).

Claims 63 and 65:

Anderson teaches an apparatus operative in response to signals from a set of three adjacent keys from a standard alphanumeric keyboard to control shuttling of playback of video information (p. 68 and 69). Anderson teaches storing one or more data files on a random access computer readable medium in a computer file system (p. 68 and 69). Anderson teaches displaying at a shuttle speed and in a shuttle direction, such that a first of three keys is for forward shuttling (p. 68 and 69). Anderson teaches a second of three keys for pausing (p. 68 and 69). Anderson teaches a third of thee keys is for reverse shuttling wherein multiple actuations of at least one of the first and third keys causes a change in the shuttle speed in the shuttle direction corresponding to the actuated key (p. 68 and 69).

Claims 64 and 66:

Anderson teaches the shuttle speed being increments corresponding to a frame per second rate of the video information (p. 68 and 69).

Claims 67 and 68:

Anderson teaches a random access computer readable medium for storing video information in one or more data files in a computer file system (p. 66). Anderson teaches a display (p. 66). Windows displays require a display device. Anderson teaches a standard alphanumeric keyboard (p. 68 and 69). Anderson teaches a computing apparatus operative in response to user input to display video information form the one or more data files on the display (p. 68 and 69). Anderson teaches the operative in response to signals from a first set of keys on a left hand side of a standard alphanumeric keyboard to control marking operations on the video information and

operative in response to signals form a second set of keys on a right hand side of standard alphanumeric keyboard to control shuttling of playback of the video information (p. 68 and 69). Anderson teaches an operative in response to signals from a third set of keys on the right hand side of the standard alphanumeric keyboard to control trimming of the marked video information (p. 68 and 69).

Claim 69:

Anderson teaches a mouse wherein the computing apparatus includes a means for entering a mouse shuttling mode wherein positions of the mouse correspond to forward shuttling, pausing, and reverse shuttling (p. 68 and 69).

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J Joseph whose telephone number is 703-305-3917. The examiner can normally be reached Monday through Friday from 7:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

September 30, 2003
tjj